



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 19, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2024-10700146

**SUMMARY:**

**Current Zoning:** "O-1 AHOD" Office Airport Hazard Overlay District

**Requested Zoning:** "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 20, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Lee Re

**Applicant:** Lee Re

**Representative:** Lee Re

**Location:** 1818 North Colorado Street

**Legal Description:** Lot 12, Block 4, NCB 2047

**Total Acreage:** 0.1993 acres

**Notices Mailed****Owners of Property within 200 feet:** 25**Registered Neighborhood Associations within 200 feet:** Uptown Neighborhood Association, San Antonio Texas District One Resident Association**Applicable Agencies:** N/A**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "B" Residence District. The property was rezoned by Ordinance 86704, dated September 25, 1997, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District converted to "R-6" Residential Single-Family District. The property was rezoned by Ordinance 2009-01-15-0047, dated January 15, 2009, to "O-1" Office District.

**Code & Permitting Details:**

There is no code enforcement or permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "C-3 NA," "C-2," "RM-4," "R-6"**Current Land Uses:** Auto Repair Shops, Truck Rental Agency**Direction:** South**Current Base Zoning:** "R-6," "RM-4"**Current Land Uses:** Single-Family Dwellings**Direction:** East**Current Base Zoning:** "R-6," "RM-4," "RM-6," "IDZ-1"**Current Land Uses:** Single-Family Dwellings, Vacant Land**Direction:** West**Current Base Zoning:** "O-2 CD," "R-6," "RM-4"**Current Land Uses:** Single-Family Dwellings**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** North Colorado Street

**Existing Character:** Secondary Arterial

**Proposed Changes:** None known.

**Thoroughfare:** Princeton Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** West Myrtle Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Fredericksburg Road

**Existing Character:** Secondary Arterial Type B 70'-86'

**Proposed Changes:** Fredericksburg Road (North Flores Street to West Woodlawn Avenue) -- Construct corridor improvements on Fredericksburg from Flores to Woodlawn. Includes drainage, pedestrian amenities and enhancements as appropriate and within available funding.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 82, 88, 95, 96, 97, 282, 288, 289, 296.

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The parking requirements for Neighborhood Commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "O-1" Office District permits small and medium office uses, banks, worship facilities, public and private school, employment agency, library, medical clinic, optician, interior decorator studio. Maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited.

Proposed Zoning: "NC" Neighborhood Commercial District provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is located within the Midtown Regional Center and within ½ a mile of the Bandera and Fredericksburg Regional Corridors.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the Midtown Area Regional Center Plan, adopted June 2019, and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “NC” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. The surrounding area consists of a mix “C-2” Commercial District, “C-3NA” General Commercial Nonalcoholic Sales District, and “O-2” High Rise Office District.
3. **Suitability as Presently Zoned:** The existing “O-1” Office District is an appropriate zoning for the property and surrounding area. The proposed “NC” Neighborhood Commercial District is also appropriate. The “NC” district is a suitable zoning designation that accommodates a variety of low intense commercial uses that can service the established residential neighborhood. The subject property is located at the intersection of an arterial and two local roads, offering appropriate street frontage for ingress/egress, and limiting the encroachment onto the local neighborhood streets.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with public policy objectives. Relevant goals and objectives of the Midtown Area Regional Center Plan may include:
  - **Goal 4: Support Unique, Mixed Activity Areas-** Foster an appropriate mix, density, and orientation of land uses in each part of the Midtown Area to maintain the character of unique places, such as the North St. Mary’s Street music culture. Accommodate growth while preserving distinct characteristics of each part of the Midtown Area and providing thoughtful transitions between uses.
  - **Goal 7: Stimulate a Thriving Economy-** Create more employment opportunities to continue attracting a diverse residential population.
6. **Size of Tract:** The 0.1993-acre site is of sufficient size to accommodate the proposed neighborhood commercial development.

7. **Other Factors:** The change of zoning request is to be able to allow a variety of neighborhood commercial uses on the subject property, which cannot be offered with the current “O-1” Office District.